

JEFFREY R. SECKEL
Texas Bar Number 17973200
MCGUIRE CRADDOCK STROTHER PC
2501 North Harwood, Suite 1800
Dallas, Texas 75201
T: (214) 954-6816
F: (214) 954-6850
JSeckel@mcsllaw.com
COUNSEL FOR JAMES W. CUNNINGHAM
CHAPTER 7 TRUSTEE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:	§	CHAPTER 7
	§	
GLOBAL MOLECULAR LABS, LLC	§	CASE NO. 17-34618-HDH-7
	§	(Jointly Administered)
<i>Debtor.</i>	§	
<hr/>		
JAMES W. CUNNINGHAM, CHAPTER 7 TRUSTEE FOR GLOBAL MOLECULAR LABS, LLC,	§	
	§	
<i>Plaintiff,</i>	§	
v.	§	ADVERSARY NO. 19-03198-HDH
	§	
LIBERTY MUTUAL GROUP INC. A/K/A LIBERTY MUTUAL AND LIBERTY MUTUAL MANAGED CARE LLC F/K/A LIBERTY MUTUAL MANAGED CARE, INC.,	§	
	§	
<i>Defendants.</i>	§	

**PLAINTIFF'S MOTION FOR CONTINUANCE
OF TRIAL AND PRETRIAL DEADLINES**

Plaintiff, James W. Cunningham, Chapter 7 Bankruptcy Trustee for Global Molecular Labs, LLC (the "Trustee"), files this Motion for Continuance. In support of the Motion, the Trustee respectfully shows the Court as follows:

1. Plaintiff, James W. Cunningham, Chapter 7 Bankruptcy Trustee for Global Molecular Labs, LLC (the “**Trustee**”), filed the Complaint in the above captioned proceeding on November 12, 2019.

2. Summons was issued LIBERTY MUTUAL GROUP INC. A/K/A LIBERTY MUTUAL AND LIBERTY MUTUAL MANAGED CARE LLC F/K/A LIBERTY MUTUAL MANAGED CARE, INC. (“Liberty Mutual” or “Defendants”), on November 13, 2019. The Court also entered an initial scheduling order on the same date (Document No. 3).

3. Since being served, Liberty Mutual as not filed a response to this adversary. Liberty Mutual was in contact with counsel for the Trustee to request additional time to file their response.

4. The Court then issued its Report and Recommendation in the matter of *James W. Cunningham, Chapter 7 Trustee for Global Molecular Labs, LLC v. Aetna Health, Inc. and Aetna Medicaid Administrators, LLC*, Adversary No. 19-03144 in which the Court recommended that the district court withdraw the reference.

5. It is unknow if Liberty Mutual intends to file a motion to withdraw the reference in this case. In addition, the parties will need additional time to prepare this case for trial. Therefore, Trustee requests that the Court grant a continuance in this matter. Trustee submits that the parties will submit a proposed scheduling order after the district court decides whether to grant the motion to withdraw the reference in this case.

6. This is the Trustee’s first request for continuance and is not intended for the purposes of delay.

WHEREFORE, Trustee respectfully requests the grant a continuance of the trial date and all pretrial deadlines in this case until the U. S. District Court has responded to this Court's Report and Recommendation on the withdrawal of the reference in the Adversary No. 19-03144 Cunningham v Aetna and that the Court grant such other and further relief as the Court deems appropriate under the circumstances.

Dated: February 12, 2020

Respectfully Submitted,

/s/ Jeffrey R. Seckel [2020-03-18]

JEFFREY R. SECKEL

Texas Bar Number 17973200

MCGUIRE, CRADDOCK & STROTHER, P.C.

2501 North Harwood, Suite 1800

Dallas, Texas 75201

T: (214) 954-6807

F: (214) 954-6850

JSeckel@mcsllaw.com

COUNSEL FOR JAMES W. CUNNINGHAM

CHAPTER 7 TRUSTEE

CERTIFICATE OF CONFERENCE

On March 18, 2020, is unable to compliance with Local Bankruptcy Rule 7007-1(a), the undersigned counsel is unable to confer with counsel for the Liberty Mutual as they have not made an appearance, accordingly Jeffrey Seckel as counsel for the Trustee is unable to say if Liberty Mutual is in agreement or not with the relief request in this motion.

/s/ Jeffrey R. Seckel [2020-03-18]

JEFFREY R. SECKEL

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 18th day of March, 2020, a true and correct copy of the foregoing document was filed with the Court and served electronically upon those parties and/or their counsel of record registered to receive electronic notice via the Court's CM/ECF system or via First Class mail with postage prepaid on the following parties:

Liberty Mutual Group Inc. a/k/a Liberty Mutual
c/o Corporation Service Company d/b/a CSC – Lawyers Incorporating
Service Company, Registered Agent
211 E. 7th Street, Suite 620
Austin, TX 78701-3218

Liberty Mutual Managed Care LLC f/k/a Liberty Mutual Managed Care, Inc.
c/o Corporation Service Company d/b/a CSC – Lawyers Incorporating
Service Company, Registered Agent
211 E. 7th Street, Suite 620
Austin, TX 78701-3218

DEFENDANTS

/s/ Jeffrey R. Seckel [2020-03-18]
JEFFREY R. SECKEL